

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**IN RE GENETICALLY MODIFIED RICE
LITIGATION**

)
) **4:06 MD 1811 CDP**
)
) **ALL CASES**
)

NOTICE OF FILING OF LIST OF PENDING RELATED CASES

Attached as Exhibit A is a list of pending related cases known to lead counsel as of the close of business January 2, 2009, with the information requested in CMO 5. The most significant recent development is a trial setting for February 1, 2010 in *Robert Ancel et al. v. Bayer AG et al.*, CV-2008-107, Circuit Court of Woodruff County, Arkansas.

Dated: January 5, 2009

Respectfully submitted,

/s/ Eric R. Olson

Eric R. Olson

William F. Goodman, III
Joseph J. Stroble
Elizabeth M. Gates
WATKINS & EAGER
The Emporium Bldg.
400 E. Capitol Street, Suite 300
Post Office Box 650
Jackson, Mississippi 39205-0650

Mark E. Ferguson
**BARTLIT BECK HERMAN PALENCHAR &
SCOTT LLP**
Courthouse Place
54 West Hubbard Street, Suite 300
Chicago, Illinois 60610

Terry Lueckenhoff, #43843
FOX GALVIN LLC
One S. Memorial Drive, 12th Floor
St. Louis, Missouri 63102

Glen E. Summers
Lester Houtz
Eric R. Olson
John M. Hughes
Sundeep K. Addy
**BARTLIT BECK HERMAN PALENCHAR &
SCOTT LLP**
1899 Wynkoop Street, 8th Floor
Denver, Colorado 80202

***ATTORNEYS FOR BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING,
INC., BAYER CROPSCIENCE LLC, BAYER CROPSCIENCE INC.,
AND BAYER CORPORATION***

Exhibit A

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-845

Court

Arkansas - State

11th W. Judicial District, Circuit Court of
Lincoln County, Arkansas (Stuttgart Division)

Judge

Jodi Raines-Dennis

300 S. Drew
Star City, 71667
(870) 628-4147 (492)

Plaintiff(s)

Charles, Wesley; Charles, Alice; Roshell, Hazel Charles;
Charles, Joe; Charles, Ronnie Lee; Roshell, Ernestine
Charles; Copland, Addie Lee Charles

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-108

Court

Arkansas - State

11th E. Judicial District, Circuit Court of
Arkansas County, Arkansas (Stuttgart
Division)

Judge

David G. Henry

302 S. College St.
Stuttgart, 72160
673-2056 (365)

Plaintiff(s)

Meins, Scott; Meins, Dean; S&D Farm Partnership; Raymond
Meins, Inc.; Shumate, Charles; Shumate, Scott E.; Pond,
Robert H.; Pond, Judy; Pond, J. Kevin; Pond, Ann; Million
Mallard Farms Partnership; Ponds Farm, Inc., Simpson,
Johnny; Simpson, Elizabeth; Johnny & Elizabeth Simpson
Partnership; Simpson, David; Simpson, Terry; David and
Terry Simpson Partnership; Joyner, Henrine; Hoyner, Hubert;
Hubert, Jane Wright; Seen, Josephine; Staten, James
Wesley; Staten, James Wesley, as executor of the Estate of
James L. Staten; Staten, Randy; Martin, Jamie L.; Morris,
Betty; Betty L. Morris Living Trust; Simpson, Mark; Simpson,
Elaine; Mark and Elaine Simpson Farms; Simpson, Jeff;
Simpson, Marcie; J&M Simpson Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent
concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-111-1

Court

Arkansas - State

1st Judicial District, Circuit Court of Cross
County, Arkansas (Stuttgart Division)

Judge

L.T. Simes, II

705 E. Union
Wynne, 72396
(870) 238-5750 (427)

Plaintiff(s)

Rushing, L.T.; Rushing, Willard; Rushing, Doug; Rushing, Marc; Rushing, Jerry; Rushing Farms Partnership; Taylor, David; Tee Farming Partnership; Taylor Planting Company, Inc.; Tell, Inc.; David Taylor Agriculture, Inc.; Ragan, Bill; Bill Ragan Farms; Barnes, Barbara; Barnes, Barbara as next friend of Helen James; Roy Green Farm; Davis, Steve; Davis, Chris; Steve and Chris Davis Farms Partnership; McKnight, Dan; McKnight, Karen; McKnight, Gregory; D&K Farms Partnership; McClintock, Kelly; Kelly McClintock Farms; Mitchell, Gary; Mitchell, Stella; Forrest Mitchell & Sons Partnership; Forrest Mitchell Farms, Inc.; Forrest Mitchell & Sons, Inc.; Webster, Billy M.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-876-2

Court

Arkansas - State

11th W. Judicial District, Circuit Court of
Jefferson County, Arkansas (Stuttgart
Division)

Judge

Robert Wyatt, Jr.

101 W. Barraque St.
Pine Bluff, 71601
(870) 541-5360 (477)

Plaintiff(s)

Jeter, Clay; Jeter, Brenda; Jetco Farms Partnership; Jeter,
W.S. Sr.; Erstine, Alan; J&E Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV2007-433

Court

Arkansas - State

Circuit Court of Crittenden County, Arkansas

Judge

Pamela Honeycutt

P. O. Box 1951
Jonesboro, AR 72403
870-933-7713

Plaintiff(s)

Huber Muehle GmbH

Defendant(s)

Riceland Foods, Inc.
Bayer CropScience Inc.
Bayer CropScience LP

Plaintiff Counsel

Kent J. Rubens
RIEVES RUBENS & MAYTON
P.O. Box 1599
West Memphis, AR 72303
870-735-3420

Defense Counsel

(Riceland)
Barry Deacon
Barrett and Deacon
300 South Church Street
P.O. Box 1700
Jonesboro, AR 72403
870-931-1700

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

German rice purchaser plaintiff brings claims against Riceland Foods, Inc. for breach of contract, breach of express warranty, breach of implied warranty of fitness for a particular purpose, breach of implied warranty of merchantability, negligence, strict product liability, violation of the Arkansas Deceptive Trade Practices Act, and fraud. Plaintiff also brings claims against Bayer CropScience LP and Bayer CropScience Inc. for negligence, absolute liability for ultra-hazardous activity, strict products liability, and public nuisance. Plaintiff also brings a claim against all defendants for negligence per se (alleged violation of the Arkansas Rice Certification Act, Ark. Code Ann. § 2-15-203). Plaintiff seeks compensatory and punitive damages and seeks an injunction that defendants clean up plaintiffs' storage and production facilities.

Status of the Case:

The Bayer defendants filed their answer on December 17, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-0107

Court

Arkansas - State

11th E. Judicial District, Circuit Court of
Arkansas County, Arkansas (Stuttgart
Division)

Judge

David G. Henry

302 S. College St.
Stuttgart, 72160
673-2056 (365)

Plaintiff(s)

BASF Corporation; BASF Agrochemical Products B.V.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer Bioscience NV
Bayer CropScience LP
Bayer Corporation

Plaintiff Counsel

Kenneth R. Shemin
Fulbright Office Building
Shemin Law Firm, PLLC
217 East Dickson St., Suite 106G
Fayetteville, AK 72702
479-973-4442

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Plaintiffs, who grew and sold CLEARFIELD rice and marketed other agricultural products, claim negligence, common law strict liability - products liability, common law negligence per se - violation of the AR Rice Certification Act, common law negligence per se - violation of the AR Crop & Research Facilities Protection Act, violation of the AR Deceptive Trade Practices Act, trespass to chattels, conversion, public nuisance, private nuisance, tortious interference with contractual relationship or business expectancy, violation of the NC Unfair and Deceptive Practices Act, and subrogation.

Status of the Case:

Bayer filed its answer on September 19, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-0580

Court

Arkansas - State

23rd Judicial District, Circuit Court of
Lonoke County, Arkansas

Judge

Phillip Whiteaker

301 N. Center St., Ste. 204
Lonoke, AR 72086
501-676-2316

Plaintiff(s)

Underwood, Martin; Underwood, Carla; Martin Underwood
Farms; Morris, Michael W.; Morris, Martha D.; Michael W.
Morris Farms JV; Ables, Timmy; Ables, Meghan; Timmy &
Meghan Ables Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent
concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV2007-169

Court

Arkansas - State

Circuit Court of Lonoke County, Arkansas
(Civil Division) 1st Division

Judge

Phillip Whiteaker

301 N. Center Street, Suite 204
Lonoke, AR 72086
501-676-2316

Plaintiff(s)

Willman, William E.; Elizabeth W. Thomas Trust 1997;
Elizabeth W. Thomas Trust 2000; Spears Farm Central, Inc.;
Spears, Gary d/b/a Spears Farms; Spears, Rodney Charles
d/b/a Chip Spears Farms; Spears, Shawn d/b/a Spears
Farms; W. Edgar Willman Trust 2000; Willman & Willman
Farms, LLC; Willman, Floyd C.

Defendant(s)

Riceland Foods, Inc.
Bayer A.G.
Bayer CropScience
Bayer CropScience Arkansas LP

Plaintiff Counsel

Thomas P. Thrash
Thrash Law Firm
1101 Garland Street
Little Rock, AR 72201
(501) 374-1058

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Bayer)
Gordon S. Rather, Jr.
Wright Lindsey & Jennings, LLP
200 West Capitol, Suite 2200
Little Rock, AR 72201

Description of the Case:

Nine famer plaintiffs bring suit against Riceland Foods, Inc., Bayer CropScience LP, Bayer AG, and Bayer CropScience. Plaintiffs bring negligence claims against all defendants and a fraud claim against Riceland. Plaintiffs seek compensatory and punitive damages.

Status of the Case:

Riceland and Bayer CropScience LP have answered the complaint. The case was removed to the U.S. District Court for the Eastern District of Arkansas and subsequently remanded back to the Circuit Court of Lonoke County by order dated October 9, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2006-0413

Court

Arkansas - State

23rd Judicial District, Circuit Court of
Lonoke County, Arkansas (Civil Division)
2nd Division

Judge

Phillip T. Whiteaker

301 N. Center St., Ste. 204
Lonoke, AR 72086
501-676-2316

Plaintiff(s)

Schafer, Randy; A.S. Kelly and Sons; Amaden, Randall;
Carter Farms Partnership; End of the Road Farms, Inc.;
Gosney Farms; Moery, Kyle; Moery, Robert E.; Neil Daniels
Farms; Petrus Farms, Inc.; Petrus Seed & Grain, Co., Inc.;
Petrus, Robert H.; R & B Amaden Farms; S&R Farms;
Schafer Planting Co.; Snider, Randall J.; Wallace Farms

Defendant(s)

Riceland Foods, Inc.
Bayer CropScience LP
Bayer CropScience USA Holding II, Inc.
Bayer CropScience USA LP
John "Doe"

Plaintiff Counsel

Paul Byrd
HARE, WYNN, NEWELL & NEWTON, L.L.P.
Metropolitan National Plaza
4220 North Rodney Parham Rd., Suite 250
Little Rock, Arkansas 72212
501-225-5500

Defense Counsel

(Riceland Foods)
Barry Deacon
Barrett and Deacon
300 South Church Street
P.O. Box 1700
Jonesboro, AR 72403
870-931-1700

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Seventeen rice farmer plaintiffs bring negligence claims against Bayer CropScience LP, Bayer CropScience USA Holding II, Inc., Bayer CropScience USA LP, and Riceland Foods, Inc. Those plaintiffs who are farmer-members of Riceland Foods Inc. also bring claims of fraudulent concealment against Riceland. Plaintiffs seek compensatory and punitive damages from all defendants and allege that provisions of The Arkansas Civil Justice Reform Act of 2003 (Act 649) limiting joint and several liability and punitive damages are unconstitutional.

Status of the Case:

Defendants have answered the complaint. Bayer CropScience LP removed the case to Arkansas federal court in October 2006, the case was transferred to this Court as part of the MDL, and this Court remanded the case back to the Circuit Court of Lonoke County, Arkansas, by order dated October 15, 2007. Discovery is ongoing. Trial set for four weeks beginning August 24, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV2007-432

Court

Arkansas - State

Circuit Court of Crittenden County, Arkansas

Judge

Pamela Honeycutt

P. O. Box 1951
Jonesboro, AR 72403
870-933-7713

Plaintiff(s)

Mueller's Muehle GmbH

Defendant(s)

Riceland Foods, Inc.
Bayer CropScience Inc.
Bayer CropScience LP

Plaintiff Counsel

Kent J. Rubens
RIEVES RUBENS & MAYTON
P.O. Box 1599
West Memphis, AR 72303
870-735-3420

Defense Counsel

(Riceland)
Barry Deacon
Barrett and Deacon
300 South Church Street
P.O. Box 1700
Jonesboro, AR 72403
870-931-1700

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

German rice purchaser plaintiff brings claims against Riceland Foods, Inc. for breach of contract, breach of express warranty, breach of implied warranty of fitness for a particular purpose, breach of implied warranty of merchantability, negligence, strict product liability, violation of the Arkansas Deceptive Trade Practices Act, and fraud. Plaintiff also brings claims against Bayer CropScience LP and Bayer CropScience Inc. for negligence, absolute liability for ultra-hazardous activity, strict products liability, and public nuisance. Plaintiff also brings a claim against all defendants for negligence per se (alleged violation of the Arkansas Rice Certification Act, Ark. Code Ann. § 2-15-203). Plaintiff seeks compensatory and punitive damages and seeks an injunction that defendants clean up plaintiff's storage and production facilities.

Status of the Case:

The Bayer defendants filed their answer on December 17, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-133 (RV)

Court

Arkansas - State

2nd Judicial District, Circuit Court of
Mississippi County, Arkansas (Osceola
Division)

Judge

Rice Van Ausdall

P.O. Box 466
Osceola, 72370
870-563-6471

Plaintiff(s)

Warren, Keith; Warren, Charles; Five Bros., Inc.; Allen, Joe;
Veasman, David; Gammill, Robert A. Jr.; Gammill, David;
Gammill, Michael; Gammill Farms; BDMG, Inc.; R.A. Gammill
and Son, Inc.; Raglund, LLC; Gammill Bros. Corp.;
Chambers, J.M. III; J.M. Chambers, III, LP; Hood, Paul;
Double H Farms; Hood, Phyllis; Hood, Clyde; Hood Farms,
JV; Davis, C.A. Jr.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-0107

Court

Arkansas - State

1st Judicial District, Circuit Court of
Woodruff County, Arkansas (Civil Division)

Judge

Bentley E. Story

500 N. 3rd Street
Augusta, AR 72006
(870) 347-5206 (605)

Plaintiff(s)

Ancel, Robert L.; Ancel, Tommy; Tommy Ancel and Robert Ancel Farm; Kyle, Lenny Joe; Lenny Joe Kyle Farms; Meredith, Chester W.; Meredith Brs. Farms; Alumbaugh, Cindy; Alumbaugh, Mary Kyle; Alumbaugh, Everett; Mary Kyle Alumbaugh Farms; Branch, Richard C.; Branch, Ann; Richard Branch Farms, a partnership; Alumbaugh, Brian; Brian Alumbaugh Farms; Alumbaugh, Burl; Alumbaugh, Sharon; Burl Alumbaugh Farms; Coley, Charles; Coley, Brenda; Charles Coley Farms; Coley, Michael; Coley, Deborah; Coley, Arlen; Coley, Elizabeth; Rufus Comer Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance.

Status of the Case:

Set for Trial, February 1, 2010.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-0972B

Court

Louisiana - State

12th Judicial District Court, Parish of
Avoyelles, Louisiana

Judge

William J. Bennett

301 North Main St.
Marksville, LA 71351

Plaintiff(s)

Michael W. Zaunbrecher

Defendant(s)

Bayer Cropscience, LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Plaintiff, a rice farmer, claims negligence, res ipsa loquitur, nuisance, and trespass
against defendants.

Status of the Case:

Bayer Cropscience, LP filed an answer on January 14, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-004655, Div. D

Court

Louisiana - State

14th Judicial District Court for the Parish of
Calcasieu, State of Louisiana

Judge

Robert L. Wyatt

1000 Ryan Street
Lake Charles, Louisiana 70601
337-437-3550

Plaintiff(s)

Harrington, Alden S.; Harrington Brothers Farm, Inc.;
Harrington, Blaine; Harrington, Randall; Harrington, Rocky;
Harrington, Shannon; Leonards, Jamie; Leonards, Nicholas;
Stelly, Marcus; Stelly, Mark; Stelly, Ryan

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Eleven farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86331 Div K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
337-269-5724

Plaintiff(s)

Breaux, Robert C.; Faul, Terry; Frey, Ralph; Frey, Winston;
Hensgens, Dale; Hilda Frey Farm; Hundley, James; Hundley,
Michael C.; Lamm Brothers, LLC; Zaunbrecher, Byron;
Zaunbrecher, Dale; Zaunbrecher, Elwin J.; Zaunbrecher,
Leonard; Zaunbrecher, Mark; Zaunbrecher, Wendell

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Seventeen farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86279 Div. D

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Edward D. Rubin

P.O. Box 5028
Lafayette, LC 70502-5028
337-291-6400

Plaintiff(s)

Supreme Rice Mill, Inc.

Defendant(s)

Bayer Cropscience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Philip Bohrer
BOHRER LAW FIRM, L.L.C.
8712 Jefferson Highway, Suite B
Baton Rouge, Louisiana 70809
(225) 925-5297

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One rice mill plaintiff seeks compensatory damages against Bayer CropScience LP and LSU, and exemplary damages against Bayer CropScience LP, on claims of negligence, private nuisance (La. Civ. Code arts. 667-69), trespass, and product liability under the Louisiana Products Liability Act (LA-R.S. 9:2800). Plaintiffs also seek an injunction that defendants act to prevent future contamination of plaintiff's facility and property.

Status of the Case:

Bayer Cropscience, LP filed an answer on October 5, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

87367 Div. J

Court

Louisiana - State

15th Judicial District Court for the Parish of
Vermilion, State of Louisiana

Judge

Kristian Earles

P.O. Box 1980
Crowley, LA 70527
337-788-8811

Plaintiff(s)

Duhon, Bradley J.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-2007-0782, Div. B

Court

Louisiana - State

36th Judicial District Court for the Parish of
Beauregard

Judge

Judge Herman I. Stewart

P.O. Box 1148
Deridder, LA. 70634
337-463-7993 ext. 13

Plaintiff(s)

Habetz, Kenneth Brian

Defendant(s)

Bayer Cropscience, LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

No responses to the complaint have yet been filed.

RICE CASES OUTSIDE OF THE MDL

Case Number

69182 Div. A

Court

Louisiana - State

13th Judicial District Court for the Parish of
Evangeline, State of Louisiana

Judge

John Larry Vidrine

Evangeline Parish Courthouse
200 Court Street, Suite 200
Ville Platte, LA 70586
337-363-5516

Plaintiff(s)

Aguillard, Gordon; Choate, Cynthia F.; Cormier, Curtis;
Gautreaux, Craig; Hurst, Claudia F.; Rogers, Daniel, Jr.;
Fruge, Rodney J., Jr.; Landreneau, John D.; Ledoux, Kevin;
Marcantel, Daniel; Ozane, Lawrence; Sonnier, John G.;
Young, John A.; Zaunbrecher, Patrick

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Fourteen farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up plaintiffs' properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-2007-400

Court

Louisiana - State

33rd Judicial District Court for the Parish of
Allen, State of Louisiana

Judge

Patricia C. Cole

Main Street, P.O. Box A
Oberlin, LA 70655
337-639-2256

Plaintiff(s)

Doise, Luke B.; Doise, Michael; Fontenot, Larry W.; Manuel,
Jerome J.; Manuel, Lane; Smith, Jason J.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Six farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C2007-395, Div. A

Court

Louisiana - State

33rd Judicial District for the Parish of Allen,
State of Louisiana

Judge

Joel G. Davis

P.O. Box 496
Oberlin, LA 70655
337-639-2266

Plaintiff(s)

Cappel, Lane; Fournierat & Toups Farms, LLC; Toups, Joseph
E.; Zaunbrecher, Shane; Zaunbrecher, Wayne

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Five farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-680-07

Court

Louisiana - State

31st Judicial District Court for the Parish of
Jefferson Davis, State of Louisiana

Judge

Ann Simon

300 State Street, P.O. Box 799
Jennings, LA 70546
337-824-1160

Plaintiff(s)

Billeaudeaux, Kirk; Bebee, David K.; Bebee, Ray;
Billeaudeaux, Kirk on behalf of the Estate of Eugene Britt;
Britt, Barbara; Britt, Barbara on behalf of the Estate of
Eugene Britt; Britt, Casey; Britt, Charles D.; Britt, Sheilli D.;
Buller, Brad; Buller, Brent; Byrne, Jeremy; Byrne, Tim;
Carbalan, Irvin M., Jr.; Carbalan, John J.; Carbalan, Phyllis
B.; Fruge, Robert G.; Raspberry, Corey; S&W Zaunbrecher
Farms, L.L.P.; Zaunbrecher, Bradley

Defendant(s)

Bayer Cropscience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Nineteen farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer Cropscience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-683-07

Court

Louisiana - State

31st Judicial District for the Parish of
Jefferson Davis, State of Louisiana

Judge

Ann Simon

300 State Street, P.O. Box 799
Jennings, LA 70546
337-824-1160

Plaintiff(s)

Benoit, Jason; Benoit, Joseph; Boudreaux, Leonard;
Broussard, Timothy J.; Fanny Edith Winn Educational Trust;
Faul, David; Faul, Jeff; Faul, Leroy; Frey, Richard B.; Frey,
Richard W.; Klump, Garrett; LeBlanc, Donald; LeBlanc, Reed;
Lucky D Farms, L.L.C.; Lundsford, Aaron; Sonnier, Dwayne;
Talley, Mike; Theriot, Gerrad; Theriot, Jason; Theriot, Sidney;
Thibodeaux, Brad; Watkins, Wynn; Zaunbrecher & Cassedy
Cattle, Co., Inc.; Zaunbrecher & Cassedy Farm Partnership

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Twenty-four farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

87382 Div. K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Vermilion, State of Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
337-269-5724

Plaintiff(s)

Simon, David

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86280, Div. F

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Glenn P. Everett

P.O. Box 503
Crowley, LA 70527-0448
337-788-8881

Plaintiff(s)

Louisiana Rice Mill, LLC

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Philip Bohrer
BOHRER LAW FIRM, L.L.C.
8712 Jefferson Highway, Suite B
Baton Rouge, Louisiana 70809
(225) 925-5297

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One rice mill plaintiff seeks compensatory damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, private nuisance (La. Civ. Code arts. 667-69), trespass, and product liability under the Louisiana Products Liability Act (LA-R.S. 9:2800). Plaintiffs also seek an injunction that defendants act to prevent future contamination of plaintiff's facility and property.

Status of the Case:

Bayer CropScience LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

69187 Div. A

Court

Louisiana - State

13th Judicial District Court for the Parish of
Evangeline, State of Louisiana

Judge

John Larry Vidrine

Evangeline Parish Courthouse
200 Court Street, Suite 200
Ville Platte, LA 70586
337-363-5516

Plaintiff(s)

Fruge, Randall J.; Guillory, Gerald; LaHaye, Kenneth;
Lejeune, A. Neil; Zaunbrecher, J.W.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Five farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

10-18072

Court

Louisiana - State

38th Judicial District Court for the Parish of
Cameron, State of Louisiana

Judge

H. Ward Fontenot

P.O. Box 578
Cameron, LA 70631
337-775-5316

Plaintiff(s)

Broussard, Leonard; Hornesby, Keith; L&C Thevis Farm;
Thevis, Andrew; Thevis, Connie

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Five farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

07-C-4232-C

Court

Louisiana - State

27th Judicial District Court for the Parish of
Saint Landry, State of Louisiana

Judge

Alonzo Harris

P.O. Box 473
Opelousas, LA 70571
337-942-5606

Plaintiff(s)

D.S. Farms; Hollier, Richard M., III; J & A Farms, Inc.;
Richard, Daniel; Richard, Wilfred; Smith, Duane R.; Smith,
Kyle R.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Seven farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86113 Div. K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
337-269-5724

Plaintiff(s)

Dischler, Sylvia R.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
909 Poydras Street, Suite 2550
New Orleans, LA 70112-4000
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against bayer CropScience LP, on a negligence claim. Plaintiff also seeks an injunction that the defendants clean up her property.

Status of the Case:

Bayer CropScience LP filed an answer on November 19, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

85450-K

Court

Louisiana - State

15th Judicial District Court

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502

Plaintiff(s)

Texana Rice, Inc.

Defendant(s)

The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Charles Sartain
LOOPER, REED & MCGRAW, P.C.
1601 Elm Street, Suite 4100
Dallas Texas 75201
(214)954-4135

Defense Counsel

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas r. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801

Description of the Case:

Texas rice mill limited partnership and its general partner seek compensatory damages (alleged lost profits and property damage) and punitive damages against LSU arising from plaintiffs' purchase of rice for sale in international markets. Plaintiffs bring claims of negligence, negligence per se (alleged violation of laws governing agricultural seed and regulations governing genetically modified organisms), strict liability for defective product and ultra-hazardous activity, public nuisance, and private nuisance.

Status of the Case:

No responses to the complaint have yet been filed.

RICE CASES OUTSIDE OF THE MDL

Case Number

86321 Div. J

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Kristian Earles

P.O. Box 1980
Crowley, LA 70527
337-269-5761

Plaintiff(s)

Andrus, Bruce; Atteberry, William M.; Baronet, Wayne;
Dupre, Zan P.; Hensgens, Christian J.; Hensgens, Frank E.;
Hensgens, Gregory E.; Hoffpauir, John E.; John, John N., III;
Leger, James; Leger, Jeffery; Leger, John K.; Leger, Joseph
L., Jr.; Lejeune, Chad; Lejeune, Dean; Middlebrooks, Ward;
Pousson, Arlen M.; Pousson, Randall P.; Richard, Valjene;
Rose, Mark A.; Scanlan, Carl D., Jr.; Sonnier, Reggie;
Thibodeaux, Darrin; Thibodeaux, Harvey; Zaunbrecher, John;
Zaunbrecher, Reggie

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Twenty-six farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

10-18073

Court

Louisiana - State

38th Judicial District Court for the Parish of
Cameron, State of Louisiana

Judge

H. Ward Fontenot

P.O. Box 578
Cameron, LA 70631
337-775-5316

Plaintiff(s)

Gayle, Kurt; Fletcher, W.E.; Vail, Brandon; Vail, Mark

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Four farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

07-C-5833-A

Court

Louisiana - State

27th Judicial District Court for the Parish of
Saint Landry, State of Louisiana

Judge

James P. Doherty

118 South Court Street
Suite 109
P.O. Box 750
Opelousas, LA 70570-5166
337-942-5606

Plaintiff(s)

Soileau, Robert J.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

07-c-4597-B

Court

Louisiana - State

27th Judicial District Court for the Parish of
Saint Landry, State of Louisiana

Judge

Ellis Daigle

118 South Court St.
Suite 109
P. O. Box 750
Opelousas, LA 70570-5166
337-942-5606

Plaintiff(s)

Cart, Caleb Lee

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

72395 Div. C

Court

Louisiana - State

16th Judicial District Court for the Parish of
Saint Martin, State of Louisiana

Judge

John E. Conery

P.O. Box 596
Franklin, LA 70538
337-394-2210

Plaintiff(s)

Richard Grain, Inc.; Richard, Mickey

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Two farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-004615, Sect. H

Court

Louisiana - State

14th Judicial District Court for the Parish of
Calcasieu, State of Louisiana

Judge

Alcide J. Gray

P.O. Box 3210
Lake Charles, LA 70602
337-437-3550

Plaintiff(s)

Aguillard, Walter; Aguillard, Jordan

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Two farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-4454 Div. A

Court

Louisiana - State

15th Judicial District Court for the Parish of
Lafayette, State of Louisiana

Judge

John D. Trahan

P.O. Box 1366
Crowley, LA 70527-1366
337-233-0150

Plaintiff(s)

Vondenstein, Larry; Thibodeaux, Cleveland J., Jr.;
Vondenstein, Steven

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Three farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

85450 Div. K

Court

Louisiana - State

15th Judicial District Court Acadia Parish,
Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
(337)232-8211
(337)269-5754

Plaintiff(s)

Texana Rice Mill, Ltd.; Texana Rice, Inc.

Defendant(s)

The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Charles Sartain
LOOPER, REED & MCGRAW, P.C.
1601 Elm Street, Suite 4100
Dallas Texas 75201
(214)954-4135

Defense Counsel

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801

Description of the Case:

Texas rice mill limited partnership and its general partner seek compensatory damages (alleged lost profits and property damage) and punitive damages against LSU arising from plaintiffs' purchase of rice for sale in international markets. Plaintiffs bring claims of negligence, negligence per se (alleged violation of laws governing agricultural seed and regulations governing genetically modified organisms), strict liability for defective product and ultra-hazardous activity, public nuisance, and private nuisance.

Status of the Case:

Bayer Cropscience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

3:08-CV-0236

Court

Texas - Federal

US District Court for the Southern District of
Texas (Houston)

Judge

Melinda Harmon

P.O. Box 61010
Houston, TX 77208
713-250-5518

Plaintiff(s)

Devillier Seed, Inc., Yale Devillier and Beverly Devillier

Defendant(s)

Bayer CropScience, LP

Plaintiff Counsel

Alex Barlow
Shelly A. Sanford
Sanford Pinedo LLP
2016 Bissonnet St.
Houston, TX 77005-1647
Phone: 713-524-6677

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Status of the Case:

Bayer CropScience LP filed a Notice of Potential Tag-Along Action on November 25, 2006. CTO-28 was sent out on December 3, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

06-H-0672

Court

Texas - State

23rd Judicial District, Matagorda County,
Texas

Judge

Ben Hardin

111 E. Locust, Room 402
Angleton, TX 77515-4678 979-864-1205

Plaintiff(s)

The Simpson Company

Defendant(s)

Bayer Cropscience, LP
Bayer Cropscience Holding, Inc.
Bayer Corporation
Bayer Cropscience USA LP
Aventis Cropscience USA Holding, Inc., n/k/a Starlink
Logistics, Inc.
Texas Rice Improvement Association
BU Growers, Ltd.
Raymond Franz
Jacko Garrett
David Murrell
Rice Belt Warehouse, Inc.
John Griffin
WINCO Agriproducts, Inc.

Plaintiff Counsel

James L. Reed
LOOPER REED & MCGRAW
1300 Post Oak Blvd., Suite 2000
Houston, Texas 77056
713-986-7000

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Starlink)
Charles W. Schwartz
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
1000 Louisiana, Suite 6800
Houston, TX 77002
713-655-5160

Description of the Case:

Rice buyer plaintiff brings suit against Bayer CropScience LP, Bayer CropScience Holding, Inc., Bayer Corporation, Bayer CropScience USA, LP, Aventis CropScience USA Holding, Inc. (n/k/a Starlink Logistics, Inc.), Texas Rice Improvement Association, and Jacko Garrett. Plaintiff alleges damages resulting from its purchase of rice from rice millers for international sale. Plaintiff seeks compensatory damages from the Bayer defendants based on claims of negligence, negligence per se (alleged violation of federal law and regulations), public nuisance, and strict liability. Plaintiff seeks injunctive relief against Texas Rice Improvement Association and Garrett to allow it to test for the presence of LLRice and to prevent the sale of any rice that has tested positive for LLRice.

Status of the Case:

Defendants have answered and Plaintiff has served discovery. After a series of transfers to and from the Eastern District of Missouri, the case was returned to the 23rd Judicial District, Matagorda County, Texas. Currently pending is Bayer's motion to transfer venue.